

# **FREDERICK COUNTY BOARD OF APPEALS MEETING MINUTES FOR**

**Thursday, January 24, 2013.**

Alan Duke, Chair, called to order the regular meeting of the Frederick County Board of Appeals ("Board") for Thursday, January 24, 2013 at 7:00 p.m. in the 1st Floor Hearing Room in Winchester Hall. Present were Carole Jaar Sepe, John Capoccia, Mike Bowersox and Robert Fenimore. Also present were Michael Chomel, Senior Assistant County Attorney, and Community Development Division staff Larry Smith, Zoning Administrator, and Justin Horman, Planner.

*Official Minutes of the Board of Appeals' meetings are kept on file in the Planning Division.*

## **Introductions**

The Chair stated the rules and procedures for the hearing.

## **Approval of Minutes**

On a motion from Mr. Bowersox, seconded by Mr. Fenimore, the Board approved the minutes of December 20, 2012 (Yea 4, Nay 0, Abstain 1 – Capoccia)

## **Cases**

The Chair swore in all persons who expected to testify at the meeting.

### **B-12-14 – William Fee c/o W. Jeff Holtzinger, P.E., Esq.**

A request for a special exception was filed to expand a nonconforming use by swapping existing mobile homes for larger units as per Ordinance section 1-19-4.320, located on north side of Jefferson Pike (MD 180) (4532 Jefferson Pike, Tax Map 84, Parcel 181), Zoned Agricultural (A).

On a motion from Mr. Bowersox, seconded by Mr. Capoccia, the Board unanimously granted the special exception request for six units on the basis of the Applicant is bound by all testimony and having satisfied the requirements set forth in Sections 1-19-3.210 and 1-19-4.320. (Yea 5, Nay 0)

### **B-12-15 - Amy M. & Laura Aldhizer c/o Law Offices of Andrew DiPasquale**

A request for a special exception was filed to establish a kennel (Happy Hounds Lodge) as per Ordinance section 1-19-8.338. Concurrently a request for a variance of 0.6424 acre from the 5 acre minimum lot size requirement was filed per section 1-19-6.100. The property is located on Harrisville Road (14004 Harrisville Road, Tax Map 71, Parcel 117), Zoned Agricultural (A).

The Board discussed the variance request and it was determined that the variance would follow the special exception request if approved. On a motion from Mr. Bowersox, seconded by Mr. Capoccia, the Board denied the special exception request on the basis that the operation at the proposed location would have a negative effect on the neighborhood and, the Applicant not having satisfied the requirements set forth in Sections 1-19-3.210 (B). (Yea 4, Nay 1 - Duke)

## **Closing**

The Chair announced that the next meeting will be held on February 28, 2013.

Being no further business, the meeting adjourned at 10:50 p.m.

Respectfully submitted,

Carole Jaar Sepe, Vice Chair  
Recording Secretary

\_\_\_\_\_/s/  
Alan Duke, Chair